REMARKS

These amendments and remarks are filed in response to the Final Office Action dated June 29, 2009 (the "Office Action") and are filed with a Request for Continued Examination (RCE). Authorization is given to charge the fees for the RCE, along with any necessary fees, to Deposit Account No. 50-0951. At the time of the Office Action, claims 1-20 were pending and no claims were allowed. The objections, rejections and responses thereto are set out in full below.

I.   **Rejections Under 35 U.S.C. § 101**

Claims 11-20 were rejected under 35 U.S.C. § 101 because claims 11-20 purportedly contain software only and no hardware. Appropriate amendments to a Beauregard style claim have been made herein and withdrawal of the rejection is respectfully requested. *Ex parte STANLEY BRUCE HOLMSTEAD and JODY L. TERRILL*, BPAI No. 2009-1485 (May 20, 2009).

II.   **Rejections Under 35 U.S.C. § 103**

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent Application Publication No. 2003/0023691 to Knauerhase ("Knauerhase") in view of US Patent Application Publication No. 2004/0128356 to Bernstein et al ("Bernstein") and US Patent Application Publication No. 2004/0193722 to Donovan ("Donovan"). Claims 1-20 are also rejected under 35 U.S.C. § 103(a) as being unpatentable over Knauerhase, Donovan and U.S. Patent No. 6,912,564 to Appelman et al. ("Appelman")

Prior to addressing the rejections on art, a brief review of the claims, as amended herein, is appropriate. Claim 1 is directed to a method processed by a computer device at a user location and recites:

> receiving, by the computing device at the user location, an instant messaging (IM) address of a contact of a user;
> receiving, by the computing device at the user location, an email address of the contact of the user;
> receiving, by the computing device at the user location, a reference identifier (ID), the reference identifier (ID) being <u>an alphanumeric code and being</u> adapted to identify the contact of the user<u>, wherein the reference identifier (ID) is distinct from the received instant messaging (IM) address and the email address</u>;

correlating, by the computing device at the user location, the IM
address to the reference identifier;

correlating, by the computing device at the user location, the email
address to the reference identifier (ID); and

providing, by the computing device at the user location, an email
receive window configured to display a received email, the email receive
window configured to provide IM presence information associated with the IM
address of the contact of the user, the email receive window configured to
utilize the reference identifier (ID) for automatically launching an IM session
with the contact from the email receive window, directly from the email
receive window, the email receive window including a launch IM option for
launching the IM session.

Independent claims 6 and 11 have been similarly amended. Claim 3 has been
amended with the features of previous claim 4 and claim 4 has been amended to recite that
"the reference identifier (ID) identifies the contact of the user without requiring parsing of
the reference identifier (ID)." Support for the amendments herein can be found, for example,
at page 31, line 5 through page 32, line 6 and at Figure 24. For instance, page 31, lines 6 – 8,
indicate that "[i]n one embodiment, the contact identifier 1310 is an identification number
that is unique to each contact. Thus, no two contacts share the same contact identifier 1310."

Applicants respectfully submit that Knauerhase, Donovan, Bernstein and Appelmann,
whether individually or in combination, fail to disclose, suggest or render obvious the
claimed feature, or even the concept, of "receiving, by the computing device at the user
location, a reference identifier (ID), the reference identifier (ID) being an alphanumeric code
and being adapted to identify the contact of the user, wherein the reference identifier (ID) is
distinct from the received instant messaging (IM) address and the email address."

Initially, Applicants note that with respect to claim 1, the Office Action at pages 37-
41 fails to even mention "receiving…a reference identifier (ID)…" as previously recited in
claim 1. Nevertheless, in other places, the Office Action seems to suggest that Knauerhase
discloses the claimed feature by referring to Knauerhase's discussion of pseudo-code. With
respect to the pseudo-code, Knauerhase indicates as follows:

[0027] The pseudo-code shown in Table 1 below (code segments are indicated
by italics; comments are preceded by "//") relates to a basic routing procedure
that may be used by the routing subcomponent 316, which may be

implemented, for example, as one or more software processes executing on a computer system.

[0028] As indicated by the pseudo-code, *the routing procedure first accepts a message, m, intended for a recipient and parses it, among other reasons, to identify the recipient (specified by "m.toID")*. If the recipient is not reachable ("!reachable"), meaning, e.g., that the recipient has no communication channels that currently have connectivity to a communications network, the message is stored for later. Similarly, if the recipient is unavailable ("!available") the message is stored for later, for example, until the recipient becomes reachable and available.

The Office Action has pointed to the italicized text above for support the position that Knauerhase discloses the claimed "receiving...a reference identifier (ID)..." Nevertheless, Knauerhase is clear that the received message is merely parsed to identify the recipient. Reading Knauerhase as broadly as possible, one skilled in the art would likely conclude that the parsed information to identify the recipient would be culled from one of the 13 channels 212 of communication. Knauerhase does not suggest that any of these channels would provide any additional information, such as the claimed reference identifier (ID). In reality, the pseudo-code routing procedure would merely identify, for instance, an email address used to identify the recipient for the express purpose of routing the message as described by Knauerhase itself.

Applicants herewith have amended the independent claims to clarify that an email address and an instant message address are different and distinct from a reference identifier (ID). Applicant's specification discloses that "the contact identifier 1310 is an identification number that is unique to each contact," and thus, the independent claims have been amended to recite that the reference identifier (ID) is an alphanumeric code and that the reference identifier (ID) is distinct from the received instant messaging (IM) address and the email address. Still further and in direct contrast to Knauerhase, claim 4 has been amended to recite that the reference identifier (ID)identifies the contact of the user without requiring parsing of the reference identifier (ID).

Additionally, the Office Action has referred to Figure 2 of Knauerhase and repeated a portion of paragraph [0012] of Knauerhase to suggest that Knauerhase discloses the following in at least claim 1:

> receiving, by the computing device at the user location, an instant messaging (IM) address of a contact of a user;
> receiving, by the computing device at the user location, an email address of the contact of the user;
> correlating, by the computing device at the user location, the email address to the reference identifier (ID).

Although a portion of paragraph [0012] of Knauerhase has been repeated throughout the Office Action, the Office Action does not provide any explanation as to how this paragraph discloses the claimed subject matter. Even if "a user 'Rob' may have multiple e-mail addresses, multiple IM addresses, multiple landline telephone numbers, multiple cell phone numbers, and one or more fax numbers, pager numbers, and the like, any one or more of which may be used to route messages to Rob," having multiple email addresses, etc. does not mean that "the user has received IM addresses of the recipient." Office Action, p. 2. Many people have many contact addresses or numbers (the point of Knauerhase), but merely having many contact addresses or numbers, doesn't mean that either party knows those contact addresses or numbers.

There is nothing in paragraph [0012] that even remotely suggests the computing device at the user location receives an instant messaging (IM) address of a contact of a user and an email address of the contact of the user or that the computing device at the user location correlates the email address to the reference identifier (ID). In paragraph [0012], Knauerhase even notes that "[t]ypically, the sender chooses which of the channels the message is to be sent over. To do so, however, the sender must know and keep track of the recipient's various device addresses (e-mail address, telephone number, etc.), which depending on the particular recipient can represent a voluminous amount of information." In these two sentences alone, Knauerhase teaches that it is undesirable to know or receive multiple contact information, *i.e.*, an email address of a contact of a user and a instant messaging (IM) address of a contact of a user. Thus, Knauerhase teaches against at least the

elements of claim 1 excerpted above. In this same regard, Knauerhase teaches against element of independent claims 6 and 11.

For at least these reasons, Knauerhase, Donovan, Bernstein and Appelmann, whether individually or in combination, fail to disclose, suggest or render obvious all of the claimed features of at least independent claims 1, 6 and 11 and dependent claim 4. All independent claims are believed to be patentable. Still further, all dependent claims are believed to be patentable based on their dependence upon an allowable base claim and due to further features recited therein.

III.   **Conclusion**

The currently pending claims are supported throughout the specification and are patentable over the prior art. This application is now in full condition for allowance, and such action is respectfully requested.

The examiner is cordially invited to call the undersigned if clarification is needed on any matter within this amendment, or if the examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

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